

JAMESTOWN CITY COUNCIL  
REGULAR MEETING, NOVEMBER 5, 2012  
OFFICIAL MINUTES

The regular meeting of the City Council was called to order by Mayor Andersen at 5:00 P.M.

The Pledge of Allegiance to the flag was recited.

Roll Call showed the following members present: Mayor Andersen, Council Members Gumke, Kourajian, Brubakken and Buchanan, City Attorney Dalsted, City Engineer Schwartzkopf and City Administrator Fuchs.

Council Member Gumke moved to approve the minutes of the regular council meeting, October 1, 2012; minutes of the special council meetings, October 15 & 31, 2012; and minutes of the committee meetings, October 23 & 25, 2012. Seconded by Council Member Buchanan. Unanimous aye vote. Carried.

Council Member Kourajian moved to approve the following consent agenda items:

- A. Resolution to grant the request from William Mickelson for a license to operate a taxi service.
- B. Resolution to approve license and permit fee modifications and rate adjustments for the city utility funds, to be effective January 1, 2013.
- C. Resolution to approve a one year trial of 12 hour shift scheduling for the Police Department and to authorize out of grade pay for one lieutenant position and two sergeant positions during the trial period.
- D. Resolution to rescind its previous action of acceptance of the offer from Tim Dabill to purchase Lots 1 & 2, Block 2, Beverly Hills 6<sup>th</sup> Addition, and Lot 19, Beverly Hills 3<sup>rd</sup> Addition.
- E. Resolution to accept the proposal from Leo and Kari Ness for a standstill period to April 30, 2013, regarding their intent to enter into a purchase agreement with the City on all city-owned lots contained in Beverly Hills 6<sup>th</sup> Addition, after which date if the lots remain available, the City would proceed to allow Tim Dabill thirty (30) days to enter into a purchase agreement with the City for Lots 1 & 2, Block 2, Beverly Hills 6<sup>th</sup> Addition, and Lot 19, Beverly Hills 3<sup>rd</sup> Addition.
- F. Resolution to approve Items 1, 2 & 4 of Change Order No. 6, to PKG Contracting, Inc., on Phase I, Part B, Water Treatment Plant Improvements, in the amount of \$29,329.84.
- G. Resolution to approve Payment No. 3, to PKG Contracting, Inc., for construction on Jamestown Wastewater Treatment Plant System Improvements, in the amount of \$166,378.50.
- H. Resolution to approve Payment No. 5 (Inv No. 997), to Apex Engineering Group, Inc., for engineering services on the Jamestown Industrial Pretreatment Program, in the amount of \$6,438.00.
- I. Resolution to approve Payment No. 5 (Inv No. 32014), to AE2S, for engineering services on Jamestown City Wide I&C Systems Upgrade, in the amount of \$5,250.00.
- J. Resolution to approve Payment No. 6, to Border States Paving, Inc., for construction on Seal Coat, Patching, Construction & Reconstruction District #12-41, in the amount of \$87,704.48.
- K. Resolution to approve Payment No. 14 (Inv No. 996), to Apex Engineering Group, Inc., for engineering services on Jamestown WWTF LRAT Cover Replacement, in the amount of \$19,040.73.

- L. Resolution to approve Estimate No. 22, to PKG Contracting, Inc., for construction on Phase II, Water Plant Improvements, Water Treatment Plant Improvements, DWSRF Project No. 4700498-03, in the amount of \$216,086.16.
- M. Motion to accept the reports of the Municipal Judge, Police Department, Fire Department, Public Works Departments, Inspection Department, Forestry Department, Civic Center, Central Valley Health Unit, and financial status.
- N. Resolution to allow the October indebtedness in the amount of \$2,233,587.14 consisting of \$410,727.03 payroll and \$1,822,860.11 general obligations.

Seconded by Council Member Gumke. Consent Roll Call No. 1 showed: 5 ayes, 0 nays, 0 absent. Carried.

Duane Dunn, from Schauer & Associates, PC, gave a brief summary of the 2011 City Audit.

Council Member Gumke moved a Resolution to accept and approve the 2011 City Audit, as prepared by Schauer & Associates, PC. Seconded by Council Member Kourajian. Roll Call No. 2 showed: 5 ayes, 0 nays, 0 absent. Carried.

Greg Rich, Interstate Engineering, Inc., stated there are issues with roadways in the plat of Berndt's Addition.

Council Member Buchanan moved to refer back to the Planning Commission the plat of Berndt's Addition, a portion of Blocks 39, 40 & 47 and a portion of vacated 18<sup>th</sup> Ave. adjacent to Block 32 together with a portion of those unplatted lands within Government Lot 12 of Section 26, T140N, R64W. Seconded by Council Member Gumke. Unanimous aye vote. Carried.

Council Member Buchanan moved a Resolution to authorize an expenditure of \$15,000.00 to provide a short-term solution to insure the Water Treatment Plant can remain a "Ground Water Treatment Plant"; to develop mid to long-term solutions and proposals for solving this issue; and to develop a 10-20 year Capital Improvements Program for the Water and Wastewater Systems. Seconded by Council Member Gumke. Roll Call No. 3 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Brubakken moved Resolution to approve Alternate 4B of the Concept Alternatives Report relating to the Sanitary Sewer Improvements project, and the Least Pipe Route for Influent Pipe and Discharge Route 2 (South 1<sup>st</sup> Street) for sewer mains resulting from the project at a cost of approximately \$8.8 million. Seconded by Council Member Gumke. Roll Call No. 4 showed: 5 ayes, 0 nays, 0 absent. Carried.

The City Council on October 1, 2012, previously approved a Resolution to vacate the portion of north-south alley adjacent to the N.29.76' of Lot 6, All Lots 7 thru 15, Tahrans's 2<sup>nd</sup> Addition, and Lot 1, Block 1, Alana Addition, all to the City of Jamestown. After further review, it was determined the Vacation Resolution did not pass by the required two-thirds vote of all its members.

Council Member Buchanan moved to reconsider the request from Nancy Williams for the vacation of the portion of north-south alley adjacent to the N.29.76' of Lot 6, All Lots 7 thru 15, Tahrans's 2<sup>nd</sup> Addition, and Lot 1, Block 1, Alana Addition, all to the City of Jamestown. Seconded by Council Member Kourajian.

Mayor Andersen stated concerns with vacating this alley as any future development on lots to the east would not have alley access.

Voice vote: 4 ayes, 1 nay (Andersen), 0 absent. Carried.

Council Member Buchanan moved a Resolution to approve the request for vacation of the portion of north-south alley adjacent to the N.29.76' of Lot 6, All Lots 7 thru 15, Tahran's 2<sup>nd</sup> Addition, and Lot 1, Block 1, Alana Addition, all to the City of Jamestown. Seconded by Council Member Gumke. Roll Call No. 5 showed: 4 ayes, 1 nay (Andersen), 0 absent. Carried. (This Resolution passes the requirement of two-thirds vote of all its members.)

Discussion was held with concerns from residents having driveway access issues with the curb along 13<sup>th</sup> Avenue SW. Consensus of the council was to proceed with easements to allow curb cuts along 13<sup>th</sup> Avenue SW.

Council Member Kourajian moved a Resolution to enter into an agreement with Interstate Engineering, Inc., for engineering services on Wastewater Treatment Plant System Improvements, Influent Piping, CWSRF No. 380752-02. Seconded by Council Member Buchanan. Roll Call No. 6 showed: 4 ayes, 1 nay (Brubakken), 0 absent. Carried.

Council Member Gumke moved a Resolution that the bid received from Sanitation Products, for the purchase One (1) New Single Axle Truck (Cab & Chassis) for the Jamestown Sanitation Department, has been deemed irregular. Seconded by Council Member Brubakken. Roll Call No. 7 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Gumke moved a Resolution to award the bid for the purchase One (1) New Single Axle Truck (Cab & Chassis) for the Jamestown Sanitation Department to I State Truck Center, in the amount of \$70,121.00, which is deemed to be the lowest and best bid. Seconded by Council Member Brubakken. Roll Call No. 8 showed: 5 ayes, 0 nays, 0 absent. Carried.

Council Member Brubakken moved a Resolution to award the bid for the purchase One (1) New Heavy Duty Commercial Type Packer Body for the Jamestown Sanitation Department to Olympic Sales, Inc., in the amount of \$58,690.00, which is deemed to be the lowest and best bid. Seconded by Council Member Gumke. Roll Call No. 9 showed: 5 ayes, 0 nays, 0 absent. Carried.

Discussion was held on the draft ordinance to amend and re-enact Section 8 Appendix B, of the City Code pertaining to required improvements.

Mayor Andersen moved to change Items 1, 2 & 3 under Section 7 to Section 6 and change wording from pavement to services. Seconded by Council Member Brubakken. Unanimous aye vote. Carried.

Council Member Gumke moved to introduce the first reading of an ordinance to amend and re-enact Section 8, Appendix B, of the City Code pertaining to required improvements.

Consensus of the Council was to schedule the November committee meetings for the 13<sup>th</sup> and 15<sup>th</sup> at 4:00 PM.

Council Member Gumke moved to adjourn. Seconded by Council Member Kourajian. Unanimous aye vote. Carried.

ATTEST:  
JEFF FUCHS, City Administrator

APPROVED:  
KATIE ANDERSEN, Mayor